

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

CHIEF VERNIS FARMER,

Plaintiff,

vs.

CITY OF HAYTI HEIGHTS, *et. al.*,

Defendants.

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Case No. 1:08CV43 SNLJ

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to amend complaint and request for pleadings to be allowed as supportive evidence (# 52), filed August 7, 2009. Defendants responded (#55) on August 20, 2009. Plaintiff has not filed a reply.

This case is a *pro se* action by a former police chief for the City of Hayti Heights, Missouri, who alleges that the City of Hayti Heights has discriminated against him under the Americans with Disabilities Act. This court produced a Case Management Order (#48) on March 9, 2009 ordering that all motions to join additional parties and all motions to amend the pleadings shall be filed by April 6, 2009. Additionally, the court ordered that parties were to make initial disclosures pursuant to Rule 26(a)(1), Fed.R.Civ.P., by April 6, 2009.

Plaintiff filed this motion to amend on August 7, 2009, four months after the deadline set by this court. To allow plaintiff to amend the complaint now would be prejudicial to the defendants. Furthermore, the information that the plaintiff wishes the Court to allow as supportive evidence is unrelated to his allegations of employment discrimination, and therefore he will not be able to rely on these pleadings as supporting evidence.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion to amend is **DENIED**.

IT IS FURTHER ORDERED that plaintiff shall show cause by October 14, 2009, as to why this case should not be dismissed for failure to comply with the provisions of the Case Management Order (#48) of March 9, 2009, requiring, among other things, that initial disclosures be made by April 6, 2009.

Dated this 29th day of September, 2009.

A handwritten signature in dark ink, appearing to read "Stephen A. Finkbeiner", is written above a horizontal line.

UNITED STATES DISTRICT JUDGE